

REMARKS

Claim Amendments

Claims 4-9 and 12-14 are pending in the application. Claims 10-11 and 15-25 have been canceled herein without prejudice to the continued prosecution of these claims in a continuation or divisional application. Support for the amendments to Claim 4 can be found throughout the instant specification and throughout provisional patent application 60/080,321, for example, at paragraph 4, lines 1 through 13; paragraph 5, lines 1 through 6; paragraph 6, lines 1 through 3; paragraph 7, lines 1 through 5; paragraph 8, lines 1 through 4; paragraph 9, lines 1 through 16; paragraph 10, lines 6 through 11; Table 1; Figure 2; Figure 3; Figure 4; and Figure 5. No new matter has been added.

Priority

Claim 4 has been amended herein to recite a hybrid oligonucleotide comprising 2'-O-substituted ribonucleotide POPS blocks flanking at least one region of deoxyribonucleosides linked by phosphorothioate internucleoside linkages. As acknowledged by the Examiner on page 2 of the Office Action, Claim 4, as amended, is supported by the provisional application and is, therefore, entitled to the priority date of April 1, 1998. Withdrawal of the rejection is respectfully requested.

Anticipation of claims 4-14

As Claims 4-14 are entitled to the April 1, 1998 filing date, Manoharan is no longer eligible as prior art. Accordingly, claims 4-14 are novel over Manoharan. Applicants therefore respectfully request that this rejection be withdrawn.

Obviousness of claims 15-25

Claims 15-25 have been canceled herein, thus rendering the rejection moot. Applicants respectfully request that this rejection be withdrawn.

Provisional obviousness-type double patenting

As stated by the Examiner, this is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented. As the instant application is the earlier filed application, if this provisional double patenting rejection is the only remaining rejection in the application, Applicants request that the Examiner withdraw the rejection and allow the application to issue as a patent. Applicants will then consider filing a Terminal Disclaimer or take any other action deemed necessary in the copending application.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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